HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 19292 of 2002

Dated 3rd October, 2007

Between

Pejjai Jayarami Reddy

…Petitioner

and

The Mandal Revenue Officer, Butchireddypalem Mandal,
Nellore District, and, ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 19292 of 2002

ORDER:

The petitioner, an agriculturist, has filed this Writ Petition questioning the validity of the proceedings dated 29-9-2002 in letter No.AAE/C&O/BRPalem/D.No.517/02, by which, disconnection of power supply was ordered to the service connection bearing Nos. 87 and 101 of Sripurandharapuram village, Butchireddypalem Mandal, Nellore District.

The said order of disconnection of power supply was passed based on the letter addressed by the Mandal Revenue Officer, Butchireddypalem Mandal, dated 25-9-2002.

At the stage of admission, this Court by order dated 11-10-2002 ordered for restoration of power supply.

Though the Writ Petition is of the year 2002, no counter affidavit is filed on behalf of the respondents.

Even from the perusal of the impugned order, there is no indication of issuance of prior notice before issuance of proceedings for disconnection of power supply. On the short ground that the order of disconnection is not preceded by prior notice or opportunity to the petitioner, the impugned order dated 29-9-2002 in letter No.AAE/C&O/BRPalem/D.No.517/02 is quashed. However, it is made clear that if the supply of power to the petitioner is in contravention of the terms and conditions of supply, it is open for the respondents to issue fresh notice and pass appropriate orders.

The Writ Petition is allowed to the extent indicated above. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 3-10-2007
Msnr.